

**CITY OF HOUSTON  
HOUSING AND COMMUNITY  
DEVELOPMENT DEPARTMENT**

**REQUEST FOR PROPOSALS  
FOR  
AFFORDABLE HOUSING PROGRAMS**

Single Family and Multifamily Housing



**ISSUE DATE - OCTOBER 4, 1995**

**THIS RFP IS OPEN ENDED**

Revised 05/04

# **REQUEST FOR PROPOSALS FOR AFFORDABLE HOUSING PROGRAMS**

## **INTRODUCTION**

*From the Desk of the Director*

The City of Houston, Texas ("City") invites the submission of proposals from non-profit and for-profit organizations, cooperative corporations, partnerships and individuals to build, acquire and/or rehabilitate affordable housing directed toward low and moderate income persons.

This RFP is solicited on an open ended basis and is subject to availability of funds from the Department of Housing and Urban Development ("HUD") or other resources designated by the City. It is contingent upon compliance with HUD and HCDD underwriting criteria. Additionally, the Houston City Council must approve all funding for programs. HUD provides funds to the City of Houston in the form of annual allocations. The City's programs are administered in accordance with HUD and City regulations for the use of these funds, which are principally the Community Development Block Grant ("CDBG"), Home Investment Partnership Act ("HOME") funds, bond funds or funds provided through the Housing Opportunities For Persons With AIDS ("HOPWA") program. Copies of these various regulations are available for inspection at the office of the Housing and Community Development Department, 601 Sawyer, Suite 400, Houston, Texas 77007, Monday through Friday, from 8:00a.m. until 5:00p.m.

A successful applicant may enter into an agreement with the City of Houston that is also subject to the federal regulations governing use of CDBG and HOME funds, if applicable, as may be amended from time to time. The City may amend, supplement, or cancel all or part of this RFP through notice to the public if the City deems it is in its best interest to do so.

We appreciate your interest in our housing programs and look forward to working with you on this project. Please call (713) 868-8482 for your contact person.

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Milton Wilson, Director  
Housing & Community Development Department



**City of Houston**  
**Department of Housing & Community Development**

**Multipurpose Application For Affordable Housing Programs**

Full Legal Name of Borrowing Entity:			
Address:			
City:		State:	Zip:
Telephone Number:		Fax Number:	
Type of Borrowing Entity:    Sole Proprietor [ ]    Partnership [ ]    Corporation [ ]    Non-Profit Organization [ ]			
<b>Principal Owners</b>			
Full Legal Name	Social Security No.	Complete Address	% Ownership
<b>Project Information</b>			
Name of Project:			
Address of Project:			
Census Tract:			
Sellers Name:			
Number of Buildings In Project:		Number of Units:	Year Constructed:
Number of Units Occupied:		Number of Units Which Cannot Be Occupied:	
Provide a brief description of repairs needed:			
Is the project encumbered with debt at the present time?    Yes [ ]    No [ ]    Amount: \$			
Name of Lender:		Telephone:	
Address of Lender:			

**Incomplete information will delay processing.**

Loan Request Information (Project Cost Minus Other Funds = Loan Request)			
Project Costs		Funding Sources	
Land Cost	\$	Cash Down Payment	\$
Construction Cost	\$	Other Funds Available	\$
Project Cost (Purchase)	\$	Other Financing (Bank, etc.)	\$
Renovation/Repair Costs	\$	<b>Loan Amount Requested</b>	\$
Total Cost	\$		

### Declarations of Principal Owners, Officers & Directors

Please answer the following questions as they may apply to the applicant entity, each officer, each director and each owner of 20% or more of the applicant entity. For each "yes" answer attach a separate signed exhibit providing a detailed explanation.

1. Are any involved in any legal claim or lawsuit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Are any federal, state or local taxes delinquent?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Are any liable under any contingency agreements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Have any ever been involved in bankruptcy or insolvency proceedings?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Do any have any outstanding judgements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Have any ever had property foreclosed upon or given title or deed in lieu of foreclosure?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Have any ever been denied any government financing before?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Have any ever been banned or debarred from doing any business with HUD?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Have any ever been charged with or arrested for any criminal offense other than a minor motor vehicle violation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
10. Are any presently under indictment, parole or probation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
11. Are any delinquent for child support payments?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

### Certification and Signatures

The undersigned certifies that all statements in this application and on each document required to be submitted in connection herewith, including federal income tax returns, are true, correct and complete. The undersigned authorizes the City to make such inquiries and gather such information as the City deems necessary and reasonable concerning any information provided to the City on this application or on any such required document, including inquiries to the Internal Revenue Service and any local Credit Bureau Reporting Agencies. The undersigned further agrees to notify the City promptly of any material change in any such information.

By (Authorized Signature)

/Title

/Date

## **DOCUMENTATION CHECKLIST**

**The following additional items will be needed at the time of application in order for the Department to conduct a preliminary review of your financing request:**

An application fee of \$500.00 (For Profit Only)

Complete biographical information on all key principals.

A letter of intent or letter of interest from a financial institution who will be the primary lender. This letter should include all loan terms.

A brief narrative description of the project.

A preliminary budget (including lot or land cost, hardcost and softcost items).

A written description of the scope of work to be undertaken on the project.

Proposed rent schedule of the project along with a proposed operating proforma (i.e. income and expense statement) if the project is a multifamily project.

Number, type and square footage of units. If the financing request is for single family dwelling assistance, please provide proposed sales price information.

Copy of the Earnest Money Contract for the property.

If the property is a multifamily project, please provide the address for each individual building as well as the legal description of the project.

Project rent roll with monthly rent, tenant names, addresses and telephone numbers.

Verification of all sources of funds on the project.

Verification of tenant annual family income. Please identify the name of each family member, the unit and sources of all income.

A complete Phase I environmental study.

If the subject property was constructed prior to 1978, a lead-based paint risk assessment of the property must be conducted in accordance with the chart contained in the Overview Federal Requirements. Any lead-based paint hazards found during the risk assessment must be properly controlled and/or abated. All work performed on a project must be conducted utilizing safe work practices and trained individuals. Once hazard reduction work is completed, a clearance examination must be provided to the City that has been performed by a certified professional to ensure that no lead-based paint hazards remain. Ongoing lead-based paint maintenance activities must be incorporated into regular building operations and those activities must be provided to the City prior to funding.

If your proposal is approved for funding, other items will be requested including but not limited to the following; Property survey; elevations and floor plans; a market assessment; property appraisal; ban loan commitment; title commitment; a copy of the tenant lease; construction contract on approved City of Houston forms and construction and completion bonds.

IT IS THE PROPOSER'S RESPONSIBILITY TO REVIEW, UNDERSTAND AND COMPLY WITH ANY AND ALL APPLICABLE RULES, STATUTES, LAWS, ORDINANCES, OR REGULATIONS AND REQUIREMENTS BEFORE SUBMITTING THEIR PROPOSALS FOR CONSIDERATION. IF THE APPLICANT IS UNFAMILIAR WITH THE VARIOUS REQUIREMENTS, THE DEPARTMENT HAS AVAILABLE A SUMMARY SUPPLEMENT "OVERVIEW OF FEDERAL REQUIREMENTS FOR AFFORDABLE HOUSING PROGRAMS" WHICH PROVIDES GENERAL INFORMATION. THESE REQUIREMENTS INCLUDE BUT ARE NOT LIMITED TO THE DAVIS-BACON ACT, THE LEAD-BASED PAINT POISONING PREVENTION ACT AND THE UNIFORM RELOCATION ACT

#### **SPECIAL SET-ASIDE UNITS NEED**

THE DEPARTMENT FROM TIME TO TIME MAY REQUIRE SPECIAL SET-ASIDE DWELLING UNITS FOR THE EXCLUSIVE USE OF THE DEPARTMENT. THE UNITS WILL BE USED TO ASSIST IN RELOCATING TENANTS WHO NEED HOUSING. RENTS FOR THESE SPECIAL UNITS WILL BE PAID BY THE TENANT. THE MAXIMUM RENTAL CHARGE WILL NOT EXCEED THE ACTUAL EXPENSES ALLOCATED TO EACH UNIT BASED UPON THE DEPARTMENT'S ANALYSIS OF THE DEVELOPMENT.

## **AGREEMENT AND CERTIFICATIONS**

- A. No person shall, on grounds of age, color, handicap, marital status, national origin, race, religion or sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which APPLICANT receives City financial assistance from the Housing and Community Development Department. APPLICANT further agrees to obtain or require similar assurance of compliance for Nondiscrimination from subrecipients, contractors/subcontractors, successors, transferees and assignees as long as they receive or retain possession of any City, financial assistance from the Housing and Community Development Department. In the event APPLICANT fails to comply with this requirement, the Housing and Community Development Department may call, cancel, terminate, accelerate repayment or suspend any or all financial assistance.
- B. No fees have been paid, directly or indirectly, to any representative of this department for services provided or to be provided in connection with applying for this loan/grant.
- C. APPLICANT understands that it is not necessary to pay anyone other than those fees required by this department.
- D. APPLICANT agrees to pay the City an application fee of FIVE HUNDRED (\$500) for processing of this loan/grant request. APPLICANT understands that this fee is a non-refundable fee.
- E. All information in this APPLICATION and the EXHIBITS is TRUE and COMPLETE to the best of my knowledge. The statements are made for the purpose of obtaining a loan/grant. APPLICANT understands that FALSE statements may result in forfeiture of benefits and possible prosecution by the City Attorney.

NAME OF APPLICANT:

\_\_\_\_\_

(Please Print Clearly)

Signature of Proprietor, General Partner or Authorized Officer:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Attest Date: \_\_\_\_\_

FOR USE BY THE CITY OF HOUSTON  
(HCDD) ONLY  
APPLICATION NO: \_\_\_\_\_

(Corporation Secretary)

## INDEMNITY AGREEMENT

City of Houston  
Housing & Community Development Department  
601 Sawyer  
Houston, Texas 77007

\_\_\_\_\_ (the "Applicant") has filed or is concurrently filing with the City of Houston Housing and Community Development Department (HCDD) an application for a loan/grant for Homebuyers Assistance and/or Multi-Family Housing (Rental) Program. For the purpose of inducing HCDD to accept, review, underwrite and act upon such application and to fund the obligation therein contemplated, the Applicant hereby agrees to indemnify and hold harmless HCDD and representatives against all costs, losses, damages, expenses, and liabilities of any kind arising from or in connection with HCDD acceptance, review, underwriting, approval or disapproval of such application for financing, or the issuance, or delivery of the obligations, or the design, acquisition, construction, rehabilitation, installation, operation, use, occupancy, maintenance or operation of the residential development described in such Application for financing. It is expressly agreed that the provisions of this Indemnity Agreement shall survive any approval or disapproval of such application for financing and the issuance or failure to issue any such obligations.

This Indemnity Agreement shall be effective upon its execution by the Applicant this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and its acceptance by HCDD as indicated by its execution below.

By:

\_\_\_\_\_

Name:

\_\_\_\_\_

Title: \_\_\_\_\_

**ACKNOWLEDGED, WITNESSED AND AGREED TO** on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

FOR USE BY THE CITY OF HOUSTON (HCDD) ONLY APPLICATION NO: _____
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Guideform Notice Voluntary Real Property Acquisition  
*(This letter is to be sent to the seller of the property, which is the  
subject of the proposed application.)*

Dear

This is to inform you that (Organization/Developer) is interested in purchasing the property you own which is located at (street address and property identification), if a satisfactory agreement can be reached for the purchase. We are prepared to pay \$       for clear title to the subject property under the conditions described in the attached purchase contract.

Because Federal funds may be used in this purchase, or because the purchase is related to a federally assisted project, we are required to disclose the following information:

The Organization/Developer does not have the power to acquire your property by condemnation (i.e., eminent domain). If negotiations fail to result in an amicable purchase agreement, we will not acquire your property.

We estimate the fair market value of the subject property to be \$          .

If you are the seller-occupant of the property, and we purchase the property, you will not be eligible for relocation payments or assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA"), or any other law or regulation.

If you are willing to sell the property under the conditions described in the enclosed sale contract, please sign the contract and return it to us. We understand that no tenants are occupying the property at this time, nor have occupied the property since (date any tenant previously occupied the property, if within the 12-month period before this notice). If we are incorrect, please provide us with the name or names of tenants occupying the property and their mailing addresses.

If you have any questions about this offer and/or the proposed conditions, please contact                      at (telephone number).

Sincerely,

Name and title of Organization/Developer

Orig. Dept.: \_\_\_\_\_ File/I.D. No.: \_\_\_\_\_

STATE OF TEXAS

§

COUNTY OF HARRIS

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**AFFIDAVT OF  
OWNERSHIP OR CONTROL**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_  
\_\_\_\_\_  
[FULL NAME] (hereafter  
"Affiant"), \_\_\_\_\_ [S T A T E  
TITLE/CAPACITY WITH CONTRACTING ENTITY] of \_\_\_\_\_  
\_\_\_\_\_  
[CONTRACTING ENTITY'S CORPORATION/LEGAL NAME]  
("Contracting Entity"), who being by me duly sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.

2. Contracting Entity seeks to do business with the City in connection with \_

\_\_\_\_\_  
[DESCRIBE PROJECT OR MATTER] which is expected to be in an amount that exceeds \$25,000.

3. The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check one as applicable)

**FOR PROFIT ENTITY:**

**NON-PROFIT ENTITY:**

- ☐ **SOLE PROPRIETORSHIP**  
☐ **A CORPORATION**  
☐ **PARTNERSHIP**  
☐ **LIMITED PARTNERSHIP**  
☐ **A JOINT VENTURE**  
☐ **LIMITED LIABILITY COMPANY**  
☐ **OTHER** (Specify type in space below)

- ☐ **NON-PROFIT CORPORATION**  
☐ **UNINCORPORATED ASSOCIATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
5. The information shown below is true and correct to the Contracting Entity and all owners of 5% or more

Affiant certifies that he or she is duly authorized to submit the above information

on behalf of the Bidder, that he or she is associated with the Bidder in the capacity noted above and that he or she has personal knowledge of the accuracy of the information provided herein and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

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Affiant

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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Notary Public, State of Texas

**NOTE:**

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

**Form A**  
**CONTRACTOR SUBMISSION LIST**  
**CITY OF HOUSTON FAIR CAMPAIGN ORDANCE**

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective offices (including elected officers-elect) during a certain period of time prior to and following the award of the Contract by the City Council. The term "Contractor" includes proprietors of proprietorships, partners or joint venturers having an equity interest of 10 percent or more for the partnership or joint venture, and officers, directors and holders of 10 percent or more of the outstanding shares of corporations. A statement disclosing the names and business addresses of each of those persons will be required to be submitted with each bid or proposal for a City Contract. See Chapter 18 of the Code of Ordinances, Houston, Texas, for further information.

This list is submitted under the provisions of Section 18-36(b) of the Code of Ordinances, Houston, Texas, in connection with the attached proposal, submission or bid of:

Firm or Company Name: \_\_\_\_\_

Firm or Company Address: \_\_\_\_\_

The firm/company is organized as a (Check one as applicable) and attach additional pages if needed to supply the required names and addresses:

☐ **SOLE PROPRIETORSHIP**

Name _____	_____
Proprietor	Address

☐ **A PARTNERSHIP**

List each partners having equity interest of 10% or more of partnership (if none state "none")

## **ADDITIONAL DOCUMENTATION REQUIREMENTS AND/OR REQUESTS**

The following documents must be submitted with your **completed** (i.e., inclusive of all subparts) ***"Multipurpose Application for Affordable Housing Program"*** in order for the Department to conduct a preliminary review of your financing request:

1. Application Fee of \$500.00
2. Complete biographical information on all key principals
3. A letter of intent or letter of interest from a financial institution that will be the primary lender. This letter should include all loan terms.
4. A brief narrative description of the project
5. A preliminary budget (Include lot or land cost, hardcost, and softcost items)
6. A written description of the scope of work to be undertaken on the project.
7. Proposed rent schedule of the project along with a proposed operating proforma (i.e., income and expense statement) if project is a multi-family project
8. Number, type and square footage of units. If the financing request is for single family dwelling assistance, please provide proposed sales price information.
9. Copy of the Earnest Money Contract for the property
10. Property address and legal description. If the property is a multifamily project, provide the address for each individual building
11. Project rent roll with monthly rent, tenant names, addresses and telephone numbers, if applicable
12. A complete Phase I environmental study
13. Form A ( Contractor for Submission List City of Houston Fair Campaign Ordinance)
14. Current financial statements and three (3) years of tax returns on borrowing entity/entities on all principals
15. Appraisal of the property
16. Preliminary plans and specifications, including a site plan
17. Lead-based paint risk assessment of the property, **if** subject property was constructed **prior to 1978**. If required, the assessment must be conducted in accordance with the chart contained in the Overview of Federal Requirements. Any lead-based paint hazards found during the risk assessment must be properly controlled and/or abated. All work performed on a project must be conducted utilizing safe work practices and trained individuals. Once hazard reduction work is completed, a clearance examination must be provided to the City that has been performed by a certified professional to ensure that no lead-based paint hazards remain. Ongoing lead-based paint maintenance activities must be incorporated into regular building operations and those activities must be provided to the City prior to funding.

Additional information or documents may be requested at any stage of your affordable housing application process, submission of your request to City Council, funding of your request, etc.

By submission of your application for review for funding, implied consent is being given to the City of Houston to conduct a credit report on all parties to this transaction.

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## **A. GENERAL PROGRAM CRITERIA**

The Housing and Community Development Department ("HCDD") of the City of Houston will attempt to complete a preliminary review of initial proposals/applications within 30 days from the date a completed preliminary application is received. Projects submitted will be evaluated on a preliminary basis to determine if the project meets the following basic criteria:

1. There must be funds available for the type of project proposed.
2. The project must be compatible with the City's overall housing and revitalization goals and efforts.
3. The project must, in the City's judgement, be economically feasible and the completed costs must be in line with fair market value or the project must warrant expenditure in excess of fair market value.
4. Any fees payable to the sponsors, applicant or any affiliate must be fully disclosed in the initial application and must be in line with the market value of these services from an unrelated third party.
5. The proposed site must be within the corporate limits of the City of Houston.

## **B. TECHNICAL ASSISTANCE**

Technical assistance will not be provided in developing a proposal in response to this RFP. However, HCDD may refer proposers to technical assistance organizations. These organizations are not City of Houston representatives and the City assumes no liability to the proposers for any technical assistance provided by these organizations.

### **PROPOSAL RESPONSE GUIDELINES**

1. Proposals may be mailed or hand delivered to: Housing and Community Development Department; 601 Sawyer, Suite 400; Houston, Texas 77007; Attention: Ken Fickes
2. Each proposal shall be clearly labeled to show under which program the proposer is making application, i.e. Single Family Program or Multi-Family Program.
3. A proposer or his authorized representative may withdraw a proposal by notifying the HCDD in writing of its desire to do so. The application fee will not be refunded if a proposal is withdrawn.

## **C. GOVERNING PROVISIONS AND LIMITATIONS**

1. The City reserves the right to accept or reject any or all proposals received as a result of this request, or to negotiate with all qualified

sources. All proposals shall be evaluated according to accepted industry standards relating to character, experience and sound credit analysis. Oral explanations or instructions given before the award shall not be binding.

2. All materials furnished in a proposal shall become the property of the City.
3. Proposers will be required to assume full responsibility for all services, including that of any subcontractors.
4. The City's obligation hereunder is contingent upon the availability of appropriated funds from HUD.
5. This RFP incorporates the program application criteria for both the single family and multi-family programs.

## **SPECIAL PROCEDURES AND REQUIREMENTS FOR HOPWA PROGRAM LOANS AND GRANTS**

The HOPWA Proposal Review Committee will give special consideration to proposals targeting housing for one or more of the following groups: persons with HIV-related neurocognitive impairment (dementia), substance abusers, indigent HIV+ adolescents, women and children, and minorities with AIDS. Projects demonstrating inventiveness, community support, and resources leveraged from non-HOPWA sources will also get preferential treatment in the selection process. Projects targeting women and children will be given priority. HCDD will accept proposals for HOPWA housing projects located in all counties and cities within the Eligible Metropolitan Statistical Area which includes the following: The Cities of Houston, Pasadena & Baytown and the following counties: Chambers, Fort Bend, Harris, Liberty, Montgomery and Waller.

In addition to the other items required within this application, the following additional items are required to be submitted in connection with a HOPWA proposal:

1. Client population profile: health status, financial resources, and population size.
2. Proposed project statement of work, scope of services, supportive services plan.
3. Brief history of your organization -- demonstrating its client care capacity and quality.
4. Evidence that no less than 80% of the proposed facility resources or services will serve only HOPWA-eligible clients. Data must confirm low-income status for individuals or project-area.
5. A list and map (if practicable) of ancillary and community facilities in or near the HOPWA project facility.
6. Evidence of AIDS care community support and matching funds or in-kind contributions. The City also strongly encourages letters of support from any neighborhood civic associations in the immediate vicinity of the project.
7. Convincing evidence of cooperation and collaboration with a network of public and private agencies providing complementary services and an outreach program.
8. Evidence of status as a Texas and IRS 501(c)(3) non-profit organization (or the proposer must have applied for non-profit status). Evidence should include: State of Texas Certification; Articles of Incorporation or Charter; By-laws or Rules; a list of the Board of Directors; and Internal Revenue Service approval letter.
9. Pursuant to the Local Government Code at Chapter 244, Subchapter A, Correctional or Rehabilitation Facility and Subchapter B, Shelter for Homeless Individuals, the construction or operation of a correctional or rehabilitation facility or a shelter for the homeless is subject to certain distance and location restrictions. Information concerning this can be found in the Department's information brochure "Overview of Federal Requirements for Affordable Housing Programs."





## **CLOSING CHECKLIST**

**The following items must be submitted to HCDD or complied with prior to closing and funding:**

### **CONSTRUCTION AND BID REQUIREMENTS**

Supply two to three construction bids.

Submit copy of conditionally awarded construction contract to lowest and most responsible bidder.

Provide evidence that a qualified construction manager has been hired and approved by HCDD.

Provide evidence of qualified property manager and fee structure approved by HCDD.

Preliminary budget.

Contracts or letters of intent with each Minority/Women Business Enterprise Subcontractor or Supplier.

### **SENIOR LOAN DOCUMENTS**

All loan documentation must be reviewed by the City **PRIOR** to closing. The Senior Loan must be closed concurrently or prior to the closing of the Cityloan.

- Promissory Note
- Deed of Trust
- Financing Statement
- Intercreditor Agreement executed by the Senior Lender.
- Other required documents.

### **CITY LOAN DOCUMENTS**

Executed loan documents (Loan documents are prepared by the City and attached to the Loan Agreement as exhibits. These documents are executed at closing.

- Promissory Note
- Deed of Trust
- Financing Statement
- Restrictive Covenants

### **ADDITIONAL CLOSING DOCUMENTS**

- Evidence of fee simple title.
- Certificate or policies of insurance.
- Mortgagee policy of title insurance evidencing fee simple title to the property in applicant, subject only to those items approved by HCDD.

- Copy of construction lien releases.
- Corporate Board Resolution authorizing the "Loan Agreement".
- A legal opinion from Owner's counsel in a form acceptable to the City's Legal Department.

**NOTE:**

Under the "PRINCIPAL OWNERS section, please include the following information.

"If the borrowing entity or principal owner is an individual(s), the following section must be completed

Full Name    Social Security No.    Complete Residential Address    % of Ownership

Gender    Race (Please Circle One)

\_\_\_ White

\_\_\_ Black or African American

\_\_\_ Asian: Asian Indian, Chinese, \*Filipino, Japanese, Korean, Vietnamese, Other Asian

\_\_\_ Native Hawaiian and Other Pacific Islander

## POST CLOSING INSTRUCTIONS

The following items must be submitted to HCDD or complied with following closing:

Final project costs reconciled to the final budget approved by HCDD.

**Owner must commence the project within 4 months from the date of the City's loan agreement and must complete the project on or before the expiration of 18 months from the date of the City's Loan Agreement.**

Annual re-evaluation of rents to ensure compliance with affordability requirements.

Must provide annual report to City on the status and certification of tenant income, rents owed and collected, and Owner's affirmative marketing efforts.

Owner must provide audited financial statements and single audit by independent auditor if requested. Maintenance of all project records for 3 years following expiration of affordability period.

Any other documents or items required by HCDD.